

# Court of Appeals, State of Michigan

## ORDER

Maria Del Socorro Herrera Hernandez v Ford Motor Company

Docket No. 264910

LC No. 04-430570-NP

Helene N. White  
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly  
Judges

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The Court orders that the application for leave to appeal is removed from abeyance, and in lieu of granting the application, the Court further orders, pursuant to MCR 7.205(D)(2), that the August 16, 2005, order of the Wayne County Circuit Court, which denied defendant's motion to dismiss based on the forum non conveniens doctrine, is VACATED. The trial court's ruling that Mexico is not an alternative forum was too conclusory for this Court to sufficiently review, especially in light of the competing lengthy affidavits and arguments advanced by the parties. Therefore, the trial court is directed to provide an expanded analysis that addresses the competing arguments, and in doing so, shall consider *Juanes v Continental Tire North America, Inc*, 2005 WL 2347218 (SD Ill, 2005) regarding the impact of the *Garcia* and *Torres* decisions on the issue at hand in this case. The trial court is further directed to reconsider all of the *Cray* factors in light of *Radeljak v DaimlerChrysler Corp*, \_\_\_ Mich \_\_\_; \_\_\_ NW2d \_\_\_ (Docket No. 127679, issued July 19, 2006).

The stay imposed by this Court is VACATED, and the Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 02 2006

Date

*Sandra Schultz Mengel*  
Chief Clerk